

AO 247 (06/09) Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582 (c) (2)

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

NOV - 4 2011

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
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United States of America
v.
JOSEPH JUNIOR JENNINGS

)
)
) Case No: 4:06CR00009-1
) USM No: 23018-057

Date of Previous Judgment: 04/01/2008
(Use Date of Last Amended Judgment if Applicable)

)
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____ Amended Offense Level: _____
Criminal History Category: _____ Criminal History Category: _____
Previous Guideline Range: _____ to _____ months Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain): _____

III. ADDITIONAL COMMENTS

Defendant is ineligible for a reduction in sentence because the statutory minimum was imposed. Additionally, Defendant's Motion to Appoint Counsel [ECF No. 204] is also DENIED.

Except as provided above, all provisions of the judgment dated 04/01/2008 shall remain in effect.

IT IS SO ORDERED.

Order Date: 11-4-11

[Signature]
Judge's signature

Effective Date: _____
(if different from order date)

Senior United States District Judge
Printed name and title